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General Assembly

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22 June 2016

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Question of Guam

The General Assembly,

Having considered the question of Guam,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016, related to Guam,[1]

Taking note of the working paper prepared by the Secretariat on Guam[2] and other relevant information,

Recognizing that all available options for self-determination of the Territory are valid as long as they are in accordance with the freely expressed wishes of the people of Guam and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Expressing concern that 56 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[3] there still remain 17 Non-Self-Governing Territories, including Guam,

Conscious of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plans of action for the Second[4] and Third International Decades for the Eradication of Colonialism,

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[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23), chap. X.

[2] A/AC.109/2016/9.

[3] Resolution 1514 (XV).

[4] A/56/61, annex.

Please recycle

Recognizing that the specific characteristics and the aspirations of the people of Guam require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Convinced that the wishes and aspirations of the people of the Territory should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Concerned by the use and exploitation of the natural resources of the Non-Self-Governing Territories by the administering Powers for their benefit, by the use of the Territories as tax havens to the detriment of the world economy and by the consequences of any economic activities of the administering Powers that are contrary to the interests of the people of the Territories, as well as to resolution 1514 (XV),

Convinced that any negotiations to determine the status of the Territory must take place with the active involvement and participation of the people of the Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the people of Guam in respect of their right to self-determination should be ascertained,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the people of Guam and to fulfil its mandate effectively, it is important for it to be apprised by the administering Power and to receive information from other appropriate sources, including the representatives of the Territory, concerning the wishes and aspirations of the people of the Territory,

Aware of the importance both to Guam and to the Special Committee of the participation of elected and appointed representatives of Guam in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of Guam with their inalienable right to self-determination and in gaining a better understanding of the options for self-determination, on a case-by-case basis,

Mindful, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Welcoming the Pacific regional seminar held by the Special Committee in Managua and hosted by the Government of Nicaragua from 31 May to 2 June 2016 as a significant and forward-looking event, which enabled the participants to assess the progress made in the decolonization process and to review the existing working

methods of the Committee and renew its momentum in implementing its historic task,

Recognizing the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee[5] and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011-2020 as the Third International Decade for the Eradication of Colonialism,[6]

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme and the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Noting the statement made by the representative of the Governor of Guam at the 2016 Pacific regional seminar, in which he presented an update on the efforts of Guam towards decolonization, including by securing funding for the public education programme on self-determination, and on the work of the Guam Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination in reinforcing public awareness ahead of the planned plebiscite on self-determination,

Recalling the concern expressed by the representative of the Governor and the Speaker of the Guam legislature before the Special Committee in October 2015 about the reinstatement of a lawsuit challenging the voting restrictions for the Territory's plebiscite on self-determination,

Cognizant of the efforts made by the Guam Commission on Decolonization to promote in the Territory the holding of a plebiscite on self-determination, to populate the decolonization registry, as required by public law, to enhance the ability to expediently register those who have not yet been registered and to identify and secure territorial and federal resources for a self-determination education programme,

Aware that the Department of the Interior of the United States of America has approved a grant to support the self-determination education campaign, as stated by the representative of the Governor of Guam at the 2016 Pacific regional seminar,

Aware also that, under United States law, the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[7]

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power,

[5] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23).
[6] See resolution 65/119.
[7] United States Congress, Organic Act of Guam, 1950, as amended.

providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act ended in 1997 and that Guam has subsequently established a non-binding plebiscite process for a self-determination vote by the eligible Chamorro voters,

Cognizant of the importance of the administering Power continuing to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Aware of the deep concern expressed by civil society and other parties regarding the potential social, cultural, economic and environmental impacts of the planned transfer of additional military personnel of the administering Power to the Territory,

Recalling the statement of the Speaker of the thirty-third Guam legislature made before the Special Committee during its 2015 session that the most acute threat to the legitimate exercise of the decolonization of Guam was the incessant militarization of the island by its administering Power, and noting the concern expressed regarding the effect of the escalating United States military activities and installations on Guam,

Recalling also its resolution 57/140 of 11 December 2002, in which it reiterated that military activities and arrangements by administering Powers in the Non-Self-Governing Territories under their administration should not run counter to the rights and interests of the peoples of the Territories concerned, especially their right to self-determination, including independence, and called upon the administering Powers concerned to terminate such activities and to eliminate the remaining military bases in compliance with the relevant resolutions of the General Assembly,

Recalling further its resolution 35/118 of 11 December 1980, and conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. *Reaffirms* the inalienable right of the people of Guam to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization of Guam, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the people of Guam to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in cooperation

with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Welcomes* the convening of the Guam Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination and its ongoing work on a self-determination vote, as well as its public education efforts;

5. *Stresses* that the decolonization process in Guam should be compatible with the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[8]

6. *Calls once again upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, encourages the administering Power and the territorial Government to enter into negotiations on the matter, and stresses the need for continued close monitoring of the overall situation in the Territory;

7. *Requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all measures necessary to address the concerns of the territorial Government with regard to the question of immigration;

8. *Also requests* the administering Power to assist the Territory by facilitating public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard welcomes the financial assistance granted by the administering Power in support of the decolonization educational campaign, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, and welcomes the recent outreach work by the territorial Government;

9. *Further requests* the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

10. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the people of Guam and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between Guam and the administering Power;

11. *Calls upon* the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts

[8] Resolution 217 A (III).

to promote self-government in Guam, and encourages the administering Power to facilitate visiting and special missions to the Territory;

12. *Reaffirms* the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requests the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of the Territory;

13. *Takes into account* the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals,[9] stresses the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urges the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

14. *Requests* the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation and the impact of militarization on the environment, and once again requests the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

15. *Requests* the Special Committee to continue to examine the question of Guam and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

[9] Resolution 70/1.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Question of Montserrat

The General Assembly,

Having considered the question of Montserrat,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016, related to Montserrat,[1]

Taking note of the working paper prepared by the Secretariat on Montserrat[2] and other relevant information,

Recognizing that all available options for self-determination of the Territory are valid as long as they are in accordance with the freely expressed wishes of the people of Montserrat and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Expressing concern that, 56 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[3] there still remain 17 Non-Self-Governing Territories, including Montserrat,

Conscious of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plans of action for the Second[4] and Third International Decades for the Eradication of Colonialism,

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[1] *Official Records of the General Assembly, Seventy-First Session, Supplement No. 23* (A/71/23), chap. X.
[2] A/AC.109/2016/10.
[3] Resolution 1514 (XV).
[4] A/56/61, annex.

Please recycle

Recognizing that the specific characteristics and the aspirations of the people of Montserrat require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Convinced that the wishes and aspirations of the people of the Territory should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Concerned by the use and exploitation of the natural resources of the Non-Self-Governing Territories by the administering Powers for their benefit, by the use of the Territories as tax havens to the detriment of the world economy and by the consequences of any economic activities of the administering Powers that are contrary to the interests of the people of the Territories, as well as to resolution 1514 (XV),

Convinced that any negotiations to determine the status of the Territory must take place with the active involvement and participation of the people of that Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the people of Montserrat in respect of their right to self-determination should be ascertained,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the people of Montserrat and to fulfil its mandate effectively, it is important for it to be apprised by the administering Power and to receive information from other appropriate sources, including the representatives of the Territory, concerning the wishes and aspirations of the people of the Territory,

Aware of the importance both to Montserrat and to the Special Committee of the participation of elected and appointed representatives of Montserrat in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of Montserrat with their inalienable right to self-determination and in gaining a better understanding of the options for self-determination, on a case-by-case basis,

Mindful, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Welcoming the Pacific regional seminar held by the Special Committee in Managua and hosted by the Government of Nicaragua from 31 May to 2 June 2016 as a significant and forward-looking event, which enabled the participants to assess the progress made in the decolonization process and to review the existing working methods of the Committee and renew its momentum in implementing its historic task,

Recognizing the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee[5] and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011-2020 as the Third International Decade for the Eradication of Colonialism,[6]

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme and the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Noting with concern the continuing consequences of the 1995 volcanic eruption which led to the evacuation of three quarters of the population of the Territory to safe areas of the island and to areas outside the Territory and which continues to have enduring consequences for the economy of the island,

Acknowledging the continuing assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

Aware that Montserrat continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Recalling the importance of improving the infrastructure and accessibility of Montserrat, as conveyed by the Premier of Montserrat to the Chair of the Special Committee in their meeting on 11 May 2015,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory and of the Territory's membership in the Caribbean Overseas Countries and Territories Council,

1. *Reaffirms* the inalienable right of the people of Montserrat to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization of Montserrat, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the people of Montserrat to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in cooperation

[5] *Official Records of the General Assembly, Seventy-First Session, Supplement No. 23* (A/71/23).
[6] See resolution 65/119.

with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Recalls* the 2011 Constitution of Montserrat and the work of the territorial Government with respect to moving forward to consolidate the gains provided for in the Constitution;

5. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

6. *Welcomes* the Territory's participation in the work of the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean;

7. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

8. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the people of Montserrat and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between Montserrat and the administering Power;

9. *Calls upon* the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in Montserrat, and encourages the administering Power to facilitate visiting and special missions to the Territory;

10. *Reaffirms* the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requests the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of the Territory;

11. *Takes into account* the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals,[7] stresses the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation,

[7] Resolution 70/1.

regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urges the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

12. *Requests* the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requests the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

13. *Requests* the Special Committee to continue to examine the question of Montserrat and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

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22 June 2016

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Question of Pitcairn

The General Assembly,

Having considered the question of Pitcairn,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016, related to Pitcairn,[1]

Taking note of the working paper prepared by the Secretariat on Pitcairn[2] and other relevant information,

Recognizing that all available options for self-determination of the Territory are valid as long as they are in accordance with the freely expressed wishes of the people of Pitcairn and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Expressing concern that 56 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[3] there still remain 17 Non-Self-Governing Territories, including Pitcairn,

Conscious of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plans of action for the Second[4] and Third International Decades for the Eradication of Colonialism,

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[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23), chap. X.

[2] A/AC.109/2016/12.

[3] Resolution 1514 (XV).

[4] A/56/61, annex.

Please recycle

Recognizing that the specific characteristics and the aspirations of the people of Pitcairn require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Convinced that the wishes and aspirations of the people of the Territory should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Concerned by the use and exploitation of the natural resources of the Non-Self-Governing Territories by the administering Powers for their benefit, by the use of the Territories as tax havens to the detriment of the world economy and by the consequences of any economic activities of the administering Powers that are contrary to the interests of the people of the Territories, as well as to resolution 1514 (XV),

Convinced that any negotiations to determine the status of the Territory must take place with the active involvement and participation of the people of the Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the people of Pitcairn in respect of their right to self-determination should be ascertained,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the people of Pitcairn and to fulfil its mandate effectively, it is important for it to be apprised by the administering Power and to receive information from other appropriate sources, including the representatives of the Territory, concerning the wishes and aspirations of the people of the Territory,

Aware of the importance both to Pitcairn and to the Special Committee of the participation of elected and appointed representatives of Pitcairn in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of Pitcairn with their inalienable right to self-determination and in gaining a better understanding of the options for self-determination, on a case-by-case basis,

Mindful, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Welcoming the Pacific regional seminar held by the Special Committee in Managua and hosted by the Government of Nicaragua from 31 May to 2 June 2016 as a significant and forward-looking event, which enabled the participants to assess the progress made in the decolonization process and to review the existing working methods of the Committee and renew its momentum in implementing its historic task,

Recognizing the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee[5] and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011-2020 as the Third International Decade for the Eradication of Colonialism,[6]

Taking into account the unique character of Pitcairn in terms of population, area and access,

Aware that the administering Power and the territorial Government have implemented a governance structure to strengthen administrative capacity in the Territory, based on consultations with the people of the Territory, and that Pitcairn continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Cognizant that the administering Power and the territorial Government have developed a five-year strategic development plan, covering the period from 2012 to 2016, that sets out the views and aspirations of the people of the Territory for the socioeconomic development of the Territory,

Aware of the assessment made in 2013 that the population of the Territory needs to be boosted if the Territory is to have a sustainable future and of the approval by the Pitcairn Island Council of an immigration policy and the repopulation plan, covering the period from 2014 to 2019, designed to promote immigration and repopulation and bring people with the necessary skills and commitment to Pitcairn,

Noting with concern the findings contained in the final report on the survey commissioned by the Pitcairn Island Council to ascertain whether members of the diaspora had any interest in returning to the Territory and the factors conditioning a decision,

1. *Reaffirms* the inalienable right of the people of Pitcairn to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of the decolonization of Pitcairn, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the people of Pitcairn to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

[5] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23).

[6] See resolution 65/119.

4. *Welcomes* all efforts by the administering Power and the territorial Government that would further devolve operational responsibilities to the Territory, with a view to gradually expanding self-government, including through the training of local personnel;

5. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

6. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support socioeconomic and environmental security in Pitcairn, including as regards demographic matters;

7. *Welcomes* the work carried out on the preparation of the five-year strategic development plan for the island;

8. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the people of Pitcairn and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between Pitcairn and the administering Power;

9. *Calls upon* the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in Pitcairn, and encourages the administering Power to facilitate visiting and special missions to the Territory;

10. *Reaffirms* the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requests the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of the Territory;

11. *Takes into account* the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals,[7] stresses the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urges the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

[7] Resolution 70/1.

12. *Requests* the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requests the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

13. *Requests* the Special Committee to continue to examine the question of Pitcairn and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

United Nations A/AC.109/2016/L.17

General Assembly

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22 June 2016

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Question of Saint Helena

The General Assembly,

Having considered the question of Saint Helena,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016, related to Saint Helena,[1]

Taking note of the working paper prepared by the Secretariat on Saint Helena[2] and other relevant information,

Recognizing that all available options for self-determination of the Territory are valid as long as they are in accordance with the freely expressed wishes of the people of Saint Helena and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Expressing concern that 56 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[3] there still remain 17 Non-Self-Governing Territories, including Saint Helena,

Conscious of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plans of action for the Second[4] and Third International Decades for the Eradication of Colonialism,

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[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23), chap. X.

[2] A/AC.109/2016/13.

[3] Resolution 1514 (XV).

[4] A/56/61, annex.

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Recognizing that the specific characteristics and the aspirations of the people of Saint Helena require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Convinced that the wishes and aspirations of the people of the Territory should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Concerned by the use and exploitation of the natural resources of the Non-Self-Governing Territories by the administering Powers for their benefit, by the use of the Territories as tax havens to the detriment of the world economy and by the consequences of any economic activities of the administering Powers that are contrary to the interests of the people of the Territories, as well as to resolution 1514 (XV),

Convinced that any negotiations to determine the status of the Territory must take place with the active involvement and participation of the people of the Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the people of Saint Helena in respect of their right to self-determination should be ascertained,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the people of Saint Helena and to fulfil its mandate effectively, it is important for it to be apprised by the administering Power and to receive information from other appropriate sources, including the representatives of the Territory, concerning the wishes and aspirations of the people of the Territory,

Aware of the importance both to Saint Helena and to the Special Committee of the participation of elected and appointed representatives of Saint Helena in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of Saint Helena with their inalienable right to self-determination and in gaining a better understanding of the options for self-determination, on a case-by-case basis,

Mindful, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Welcoming the Pacific regional seminar held by the Special Committee in Managua and hosted by the Government of Nicaragua from 31 May to 2 June 2016 as a significant and forward-looking event, which enabled the participants to assess the progress made in the decolonization process and to review the existing working methods of the Committee and renew its momentum in implementing its historic task,

Recognizing the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee[5] and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011-2020 as the Third International Decade for the Eradication of Colonialism,[6]

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme and the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Recalling the statement made by the representative of Saint Helena at the Caribbean regional seminar held in Managua from 19 to 21 May 2015 that the Territory had no aspiration to independence and had been able to have a formal form of government,

Recalling also the concerns expressed by the representative of Saint Helena about the potential negative impacts of the construction of the airport, including the growing number of expatriate families settling in the Territory and the lack of a specific plan to operate an air route or sea link between Saint Helena and neighbouring islands,

Recalling further the information provided by the representative of Saint Helena that, although human rights provisions are enshrined in the 2009 Constitution of Saint Helena, some international instruments, including the Convention on the Elimination of All Forms of Discrimination against Women[7] and the Convention on the Rights of Persons with Disabilities,[8] have not yet been extended to the Territory,

Taking into account the unique character of Saint Helena in terms of its population, geography and natural resources,

Recalling the fact that, in January 2013, following a resolution passed in September 2012 by the Legislative Council to undertake minor adjustments to the 2009 Constitution, a public consultation process was launched,

Aware that a consultative poll was held in March 2013, with the majority opting for no change to the Constitution, and that, for the first time, a general election based on one constituency was held in July 2013,

Cognizant that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

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[5] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23).
[6] See resolution 65/119.
[7] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[8] Ibid., vol. 2515, No. 44910.

Aware of the efforts of the administering Power and the territorial Government to improve the socioeconomic conditions of the population of Saint Helena, in particular in the areas of employment, transport and communications infrastructure,

1. *Reaffirms* the inalienable right of the people of Saint Helena to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization of Saint Helena, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the people of Saint Helena to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Stresses* the importance of the 2009 Constitution of the Territory and the further development of democratic and good governance;

5. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

6. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socioeconomic development challenges of the Territory;

7. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the people of Saint Helena and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between Saint Helena and the administering Power;

8. *Calls upon* the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in Saint Helena, and encourages the administering Power to facilitate visiting and special missions to the Territory;

9. *Reaffirms* the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requests the administering Power to take steps to enlist

and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of the Territory;

10. *Takes into account* the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals,[9] stresses the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urges the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

11. *Requests* the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requests the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

12. *Requests* the Special Committee to continue to examine the question of Saint Helena and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

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[9] Resolution 70/1.

Recognizing that the specific characteristics and the aspirations of the people of the Turks and Caicos Islands require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Convinced that the wishes and aspirations of the people of the Territory should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Concerned by the use and exploitation of the natural resources of the Non-Self-Governing Territories by the administering Powers for their benefit, by the use of the Territories as tax havens to the detriment of the world economy and by the consequences of any economic activities of the administering Powers that are contrary to the interests of the people of the Territories, as well as to resolution 1514 (XV),

Convinced that any negotiations to determine the status of the Territory must take place with the active involvement and participation of the people of the Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the people of the Turks and Caicos Islands in respect of their right to self-determination should be ascertained,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the people of the Turks and Caicos Islands and to fulfil its mandate effectively, it is important for it to be apprised by the administering Power and to receive information from other appropriate sources, including the representatives of the Territory, concerning the wishes and aspirations of the people of the Territory,

Aware of the importance both to the Turks and Caicos Islands and to the Special Committee of the participation of elected and appointed representatives of the Turks and Caicos Islands in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of the Turks and Caicos Islands with their inalienable right to self-determination and in gaining a better understanding of the options for self-determination, on a case-by-case basis,

Mindful, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Welcoming the Pacific regional seminar held by the Special Committee in Managua and hosted by the Government of Nicaragua from 31 May to 2 June 2016 as a significant and forward-looking event, which enabled the participants to assess the

progress made in the decolonization process and to review the existing working methods of the Committee and renew its momentum in implementing its historic task,

Recognizing the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee[5] and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011-2020 as the Third International Decade for the Eradication of Colonialism,[6]

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme and the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Taking note of the statement made by the representative of the Turks and Caicos Islands at the Caribbean regional seminar held in Managua from 19 to 21 May 2015,

Recalling the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006 at the request of the territorial Government and with the concurrence of the administering Power,

Noting the decision of the administering Power to suspend parts of the Turks and Caicos Islands Constitution Order 2006, the subsequent presentation of a draft constitution for public consultation in 2011 and the introduction of a new constitution for the Territory, as well as the election of a new territorial Government in 2012,

Noting also that the administering Power, after careful consideration, did not accept the recommendations of the 2014 report of the Constitutional Review Committee, which was submitted to and considered by the House of Assembly, on the grounds that the Constitution Order 2011 was key to ensuring that the Turks and Caicos Islands continued to meet internationally recognized standards of good governance, the rule of law and sound financial management,

Recalling that, in March 2014, the Heads of Government of the Caribbean Community received an update on the situation in the Turks and Caicos Islands, which they will continue to monitor, and that they expressed their support for the full restoration of democracy in the Territory on terms driven by its people,

Noting the 2009 suspension of the Constitution Order 2006, which abolished the democratically elected House of Assembly and the Cabinet, and the subsequent institution of direct rule exercised by the administering Power for a period of three years, and taking note of the provision of a new Constitution Order in 2012, as well as the election held in the Territory in 2012, and of the endorsement by the Heads of Government of the Caribbean Community of the report of the Community's fact-

[5] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23).
[6] See resolution 65/119.

finding mission to the Turks and Caicos Islands in 2013, which called for, inter alia, a referendum on self-determination and a mechanism for amending the constitution,

1. *Reaffirms* the inalienable right of the people of the Turks and Caicos Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization of the Turks and Caicos Islands, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the people of the Turks and Caicos Islands to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Reiterates its support* for the full restoration of democracy in the Territory and for the work of the Constitutional Review Committee in that regard, and notes the efforts of the administering Power to restore good governance, including through the introduction in 2011 of a new constitution and the holding of elections in November 2012, and sound financial management in the Territory;

5. *Takes note* of the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries in support of a democratically elected territorial Government and of the full restoration of democracy in the Territory as decided by its people;

6. *Notes* the continuing debate on constitutional reform within the Territory, and stresses the importance of participation by all groups and interested parties in the consultation process;

7. *Stresses* the importance of having in place in the Territory a constitution that reflects the aspirations and wishes of its people, based on the mechanisms for popular consultation;

8. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

9. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

10. *Also welcomes* the continuing efforts made by the territorial Government addressing the need for attention to be paid to the enhancement of socioeconomic development across the Territory;

11. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the people of the Turks and Caicos Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Turks and Caicos Islands and the administering Power;

12. *Calls upon* the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Turks and Caicos Islands, and encourages the administering Power to facilitate visiting and special missions to the Territory;

13. *Reaffirms* the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requests the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of the Territory;

14. *Takes into account* the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals,[7] stresses the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urges the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

15. *Requests* the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requests the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

16. *Requests* the Special Committee to continue to examine the question of the Turks and Caicos Islands and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

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[7] Resolution 70/1.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Question of the United States Virgin Islands

The General Assembly,

Having considered the question of the United States Virgin Islands,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016, related to the United States Virgin Islands,[1]

Taking note of the working paper prepared by the Secretariat on the United States Virgin Islands[2] and other relevant information,

Recognizing that all available options for self-determination of the Territory are valid as long as they are in accordance with the freely expressed wishes of the people of the United States Virgin Islands and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Expressing concern that 56 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[3] there still remain 17 Non-Self-Governing Territories, including the United Sates Virgin Islands,

Conscious of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plans of action for the Second[4] and Third International Decades for the Eradication of Colonialism,

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[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23), chap. X.

[2] A/AC.109/2016/16.

[3] Resolution 1514 (XV).

[4] A/56/61, annex.

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Recognizing that the specific characteristics and the aspirations of the people of the United States Virgin Islands require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Convinced that the wishes and aspirations of the people of the Territory should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Concerned by the use and exploitation of the natural resources of the Non-Self-Governing Territories by the administering Powers for their benefit, by the use of the Territories as tax havens to the detriment of the world economy and by the consequences of any economic activities of the administering Powers that are contrary to the interests of the people of the Territories, as well as to resolution 1514 (XV),

Convinced that any negotiations to determine the status of the Territory must take place with the active involvement and participation of the people of the Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the people of the United States Virgin Islands in respect of their right to self-determination should be ascertained,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the people of the United States Virgin Islands and to fulfil its mandate effectively, it is important for it to be apprised by the administering Power and to receive information from other appropriate sources, including the representatives of the Territory, concerning the wishes and aspirations of the people of the Territory,

Aware of the importance both to the United States Virgin Islands and to the Special Committee of the participation of elected and appointed representatives of the United States Virgin Islands in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of the United States Virgin Islands with their inalienable right to self-determination and in gaining a better understanding of the options for self-determination, on a case-by-case basis,

Mindful, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Welcoming the Pacific regional seminar held by the Special Committee in Managua and hosted by the Government of Nicaragua from 31 May to 2 June 2016 as a significant and forward-looking event, which enabled the participants to assess the progress made in the decolonization process and to review the existing working

methods of the Committee and renew its momentum in implementing its historic task,

Recognizing the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee[5] and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011-2020 as the Third International Decade for the Eradication of Colonialism,[6]

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme and the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Aware that, under United States law, the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[7]

Aware also of the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as its requests to the administering Power and the United Nations system for assistance to its public education programme,

Cognizant that a draft constitution was proposed in 2009 and subsequently forwarded to the administering Power, which in 2010 requested the Territory to consider its objections to the draft constitution,

Cognizant also that the Fifth Revision Convention, established and convened in 2012, was mandated to ratify and approve the final revised draft constitution,

Aware of the closing of the Hovensa plant, and noting the continuing negative impact on manufacturing and on the employment situation in the Territory,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. *Reaffirms* the inalienable right of the people of the United States Virgin Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization of the United States Virgin Islands, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

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[5] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23).
[6] See resolution 65/119.
[7] United States Congress, Revised Organic Act, 1954.

3. *Further reaffirms* that it is ultimately for the people of the United States Virgin Islands to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Welcomes* the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands Fifth Constitutional Convention, for review by the administering Power, and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the internal Constitutional Convention exercise;

5. *Requests* the administering Power to facilitate the process for approval of the proposed territorial constitution in the United States Congress and its implementation, once agreed upon in the Territory;

6. *Also requests* the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

7. *Expresses its concern* regarding the continuing negative impact of the Hovensa plant closure;

8. *Reiterates its call* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

9. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

10. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the people of the United States Virgin Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the United States Virgin Islands and the administering Power;

11. *Calls upon* the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the United States Virgin Islands, and encourages the administering Power to facilitate visiting and special missions to the Territory;

12. *Reaffirms* the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requests the administering Power to take steps to enlist

and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of the Territory;

13. *Takes into account* the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals,[8] stresses the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urges the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as a tax haven, that are not aligned with the interest of the people of the Territory;

14. *Requests* the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requests the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

15. *Requests* the Special Committee to continue to examine the question of the United States Virgin Islands and to report thereon to the General Assembly at its seventy-second session and on the implementation of the present resolution.

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[8] Resolution 70/1.

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General Assembly

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 70/231 of 23 December 2015, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 65/119 of 10 December 2010, by which it declared the period 2011-2020 the Third International Decade for the Eradication of Colonialism, and the need to examine ways and means to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2011,

Regretting that measures to eliminate colonialism by 2010, as called for in its resolution 55/146 of 8 December 2000, have not been successful,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23).

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Noting with satisfaction the continued efforts of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the formal participation of the administering Powers in the work of the Special Committee,

Noting with satisfaction the cooperation and active participation of certain administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Noting that the Pacific regional seminar was held in Managua from 31 May to 2 June 2016,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 65/119, by which it declared the period 2011-2020 the Third International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all steps necessary to enable the peoples of the Non-Self-Governing Territories to exercise fully as soon as possible their right to self-determination, including independence, on a case-by-case basis;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[2]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms its support once again* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with the relevant resolutions of the United Nations on decolonization;

5. *Calls upon* all the administering Powers to cooperate fully in the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to participate formally in its future sessions and seminars;

6. *Calls upon* the administering Powers to cooperate fully with the Special Committee to develop and finalize, as soon as possible, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

7. *Recalls with satisfaction* the professional, open and transparent conduct of both the February 2006 and the October 2007 referendums to determine the future status of Tokelau, monitored by the United Nations;

8. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the

[2] Resolution 217 A (III).

actions approved by the General Assembly regarding the Second and Third International Decades for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its seventy-second session;

(b) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend to the General Assembly, as appropriate, the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(d) To develop and finalize, as soon as possible and in cooperation with the administering Power and the Territory in question, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories, to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting and special missions to the Non-Self-Governing Territories in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all steps necessary to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;

9. *Calls upon* the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and, inter alia, to facilitate visiting missions of the Committee to the Territories on a case-by-case basis and in accordance with relevant United Nations resolutions on specific Territories;

10. *Reaffirms* that the United Nations visiting missions to the Non-Self-Governing Territories, where applicable, are an effective means of ascertaining the situation of the peoples of the Territories, in accordance with relevant United Nations resolutions on specific Territories, and therefore requests the Special Committee to undertake at least one visiting mission a year;

11. *Recalls* that the plan of action for the Second International Decade for the Eradication of Colonialism,[3] updated as necessary, represents an important

[3] A/56/61, annex.

legislative authority for the attainment of self-government by the Non-Self-Governing Territories, and that the case-by-case assessment of the attainment of self-government in each Territory can make an important contribution to this process;

12. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

13. *Calls upon* the administering Powers to ensure that economic and other activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

14. *Urges* the administering Powers to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the relevant administering Powers to take all steps necessary to protect the property rights of the peoples of those Territories;

15. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance, as needed, to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

16. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

17. *Requests* the Secretary-General, President pro tempore of the Special Committee, to meet informally at least once a year with the Chair and the Bureau of the Committee during the intersessional period, in order to explore innovative ways of using his good offices to help to advance the decolonization agenda on a case-by-case basis;

18. *Approves* the report of the Special Committee covering its work during 2016,[1] in which the programme of work for 2017 is outlined, in particular the Caribbean regional seminar and a visiting mission to one of the Territories on its agenda, in accordance with relevant United Nations resolutions on specific Territories;

19. *Requests* the Secretary-General to continue to review the resources at the disposal of the Special Committee in order to ensure that the Committee has the funding, facilities and services commensurate with its envisioned yearly programmes, as mandated in relevant General Assembly resolutions, including, especially, in paragraph 8 of its resolution 70/231.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the report of the Secretary-General[1] and the report of the Economic and Social Council[2] on the item,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016 relating to the item,[3]

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including, in particular, Economic and Social Council resolutions 2014/25 of 16 July 2014 and 2015/16 of 20 July 2015,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV),

[1] A/71/69.
[2] E/2016/49.
[3] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23), chap. VI.

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Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Welcoming also the participation in the capacity of observers of those Non-Self-Governing Territories that are associate members of regional commissions in the world conferences in the economic and social spheres, subject to the rules of procedure of the General Assembly and in accordance with relevant resolutions and decisions of the United Nations, including resolutions and decisions of the Assembly and the Special Committee on specific Territories,

Noting that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Stressing that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting those challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the resources necessary for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective responsibilities, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance that they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various resolutions and decisions of the United Nations relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling its resolution 70/96 of 9 December 2015 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

Expressing concern at the low level of attendance by the specialized agencies and the international institutions associated with the United Nations invited in recent years to the regional seminars of the Special Committee,

1. *Takes note* of the report of the Secretary-General;[1]

2. *Recommends* that all States intensify their efforts through the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;

3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant resolutions of the General Assembly;

4. *Also reaffirms* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system to intensify their engagement with the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples as an important element for the implementation of General Assembly resolution 1514 (XV), including possible participation at the regional seminars on decolonization, upon the invitation of the Special Committee;

7. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

8. *Urges* those specialized agencies and other organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

9. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

10. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(a) Environmental problems facing the Non-Self-Governing Territories;

(b) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(c) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(d) Illegal exploitation of the marine and other natural resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

11. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

12. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

13. *Recalls* the adoption by the Economic Commission for Latin America and the Caribbean of its resolution 574 (XXVII) of 16 May 1998,[4] calling for the necessary mechanisms for its associate members, including Non-Self-Governing Territories, to participate in the special sessions of the General Assembly, subject to the rules of procedure of the Assembly, to review and assess the implementation of the plans of action of those United Nations world conferences in which the Territories originally participated in the capacity of observer, and in the work of the Economic and Social Council and its subsidiary bodies;

14. *Requests* the Chair of the Special Committee to continue to maintain close contact on these matters with the President of the Economic and Social Council;

15. *Recalls* the publication by the Department of Public Information and the Department of Political Affairs of the Secretariat, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories, which was updated for the United Nations website on decolonization, and requests its continued updating and wide dissemination;

[4] See *Official Records of the Economic and Social Council, 1998, Supplement No. 21* (E/1998/41), sect. III.G.

16. *Welcomes* the continuing efforts made by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, including the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, and in providing assistance to the peoples of the Non-Self-Governing Territories;

17. *Encourages* the Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies, inter alia, with the assistance of the relevant specialized agencies;

18. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant resolutions and decisions of the United Nations, including resolutions and decisions of the General Assembly and the Special Committee on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

19. *Recommends* that all Governments intensify their efforts through the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

20. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

21. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

22. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

23. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the measures necessary to implement it, and also requests the Secretary-General to report to the General Assembly at its seventy-first session on the implementation of the present resolution;

24. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its seventy-second session.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016 relating to the item,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, as well as all other relevant resolutions of the General Assembly, including, in particular, resolutions 46/181 of 19 December 1991, 55/146 of 8 December 2000 and 65/119 of 10 December 2010,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter, General Assembly resolution 1514 (XV) and the other relevant resolutions of the United Nations on decolonization is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Taking into account General Assembly resolution 1803 (XVII) of 14 December 1962 regarding the sovereignty of peoples over their natural wealth and resources in

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23), chap. V.

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accordance with the Charter and the relevant resolutions of the United Nations on decolonization,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socioeconomic development of the Territories and also to the exercise of their right to self-determination in accordance with the relevant resolutions of the United Nations,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and with other relevant resolutions of the United Nations, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socioeconomic development of the Territories, especially during times of economic and financial crisis;

3. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Reaffirms* the need to avoid any economic and other activities that adversely affect the interests of the peoples of the Non-Self-Governing Territories, and in this regard reminds the administering Powers of their responsibility and accountability vis-à-vis any detriment to the interests of the peoples of those Territories, in accordance with relevant resolutions of the United Nations on decolonization;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Calls upon* the administering Powers to ensure that the exploitation of the marine and other natural resources in the Non-Self-Governing Territories under their administration is not in violation of the relevant resolutions of the United Nations, and does not adversely affect the interests of the peoples of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all steps necessary to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter, General Assembly resolution 1514 (XV) and the other relevant resolutions of the United Nations on decolonization;

12. *Appeals* to trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories, and also appeals to the media to disseminate information about the developments in this regard;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its seventy-second session.

United Nations A/AC.109/2016/L.23

General Assembly

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21 June 2016

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Papua New Guinea: draft resolution

Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016 relating to New Caledonia,[1]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960, and stressing principle VI of the annex to resolution 1541 (XV),

Recalling also the provisions of the Nouméa Accord,[2] which, inter alia, underscores the importance of the transfer of powers and skills in a timely manner from the administering Power to the people of New Caledonia,

Reaffirming that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote equitable political, economic and social development in the

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23), chap. IX.

[2] A/AC.109/2114, annex.

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Territory, including measures in the area of environmental protection, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of continued peaceful dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Recalling the report of the Special Rapporteur on the rights of indigenous peoples on the situation of Kanak people in New Caledonia, submitted to the Human Rights Council at its eighteenth session, held from 12 to 30 September and on 21 October 2011,[3] following his visit to the Territory in February 2011,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region, including through the hosting of New Caledonian delegates in the French diplomatic and consular missions in the region,

Recalling the conclusions of the nineteenth Melanesian Spearhead Group Leaders Summit, under the historic inaugural chairmanship of the Front de libération nationale kanak socialiste, held in Nouméa from 19 to 21 June 2013, including the Leaders Declaration of the Group reaffirming the strong commitment and support, including technical assistance, for the self-determination of New Caledonia, in accordance with the Charter and the Nouméa Accord,

Welcoming the exchange of letters between the Department of Political Affairs of the Secretariat and the Melanesian Spearhead Group secretariat on the sharing of information on New Caledonia,

Mindful that New Caledonia has entered the most seminal phase of the Nouméa Accord process, a period that requires continued close monitoring by the United Nations of the situation in the Territory in order to help the people of New Caledonia to exercise their right to self-determination in accordance with the objectives set out in the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples,[4]

Welcoming the Charter of the Kanak people, common base of the fundamental values and principles of the Kanak civilization, which was proclaimed in April 2014 by the customary authorities, Great Chiefs, Chiefs, Presidents of District Councils and Presidents of the Clan Chiefs Councils, as the sole traditional custodians of the Kanak people of New Caledonia,

Welcoming also the dispatch of a United Nations visiting mission to New Caledonia in March 2014,

Recalling the statement by the Chair of the visiting mission,

Having examined the report of the visiting mission,[5]

Welcoming the cooperation of the administering Power with regard to the work of the Special Committee relating to New Caledonia and its readiness for and concurrence with the dispatching of the 2014 visiting mission,

Taking note of the statement by the representative of the administering Power,

[3] A/HRC/18/35/Add.6, annex.
[4] Resolution 1514 (XV).
[5] A/AC.109/2014/20/Rev.1.

Acknowledging the successful conduct by New Caledonia of municipal and provincial elections in May 2014,

Taking note of the information presented to the Pacific and the Caribbean regional seminars on the implementation of the Third International Decade for the Eradication of Colonialism, held in Nadi, Fiji, from 21 to 23 May 2014, and in Managua, from 19 to 21 May 2015, on the situation in the Territory, including on the issues related to the 2014 elections,

Taking note also of the recommendations adopted by the Pacific regional seminar held in Managua from 31 May to 2 June 2016, which are annexed to the report of the Special Committee,[6]

Aware of the challenges encountered in the 2014 provincial electoral process, particularly with regard to the work of the special administrative committees in updating the special electoral roll, the non-existence of the supplementary electoral roll from 1998 and the unavailability of the 1998 general electoral roll prior to 2014, and their potential impact on the referendum on self-determination,

Cognizant of the invitation from the administering Power to the Electoral Assistance Division of the Department of Political Affairs to dispatch an electoral expert observer mission to New Caledonia in May 2016 to observe the work of the special administrative commissions and the advisory committee of experts for the establishment and revision of the special electoral list, including, in particular, for the self-determination referendum in New Caledonia in 2018, consistent with the Nouméa Accord,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of the Territory in gaining a better understanding of the options for self-determination,

1. *Reaffirms its approval* of the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016 relating to New Caledonia;[1]

2. *Reiterates its endorsement* of the report, observations, conclusions and recommendations of the United Nations visiting mission to New Caledonia conducted in 2014;[5]

3. *Expresses its appreciation* to the administering Power and the Government of New Caledonia for the close cooperation and assistance extended to the visiting mission;

4. *Reaffirms* that it is ultimately for the people of New Caledonia to determine freely and fairly their future political status in accordance with the relevant provisions of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples[4] and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-

[6] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23).

determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

5. *Notes* the concerns expressed regarding the challenges encountered in the provincial elections process with respect to the persistent varying interpretations of the restricted electorate provisions and the voter registration appeal process, and encourages the administering Power and the people of New Caledonia to address in an amicable and peaceful manner the concerns of all stakeholders under the existing relevant laws in the Territory and in France, while also respecting and upholding the spirit and letter of the Nouméa Accord;[2]

6. *Expresses the view* that adequate measures for conducting the upcoming consultations on access to full sovereignty, including a just, fair, credible and transparent electoral roll, as provided in the Nouméa Accord, are essential for the conduct of a free, fair and genuine act of self-determination consistent with the Charter and United Nations principles and practices;

7. *Welcomes*, in that respect, the continuous dialogue undertaken by the parties in the framework of the Committee of Signatories to the Nouméa Accord to establish the parameters for the conduct of a conclusive act of self-determination, including the setting of an electoral roll, as provided in the Accord;

8. *Takes note* of the outcome of the twelfth meeting of the Committee of Signatories, held on 3 October 2014, which, inter alia, stressed the commitment of the administering Power to enable the people of New Caledonia to decide their future status in a fair, credible, democratic and transparent self-determination process consistent with the Accord;

9. *Notes with interest* the convening of the extraordinary meeting of the Committee of Signatories, held in Paris on 5 June 2015, regarding the New Caledonia self-determination process, including, in particular, the electoral roll for the referendum and related issues;

10. *Calls upon* France, the administering Power, in the light of the observations, conclusions and recommendations of the visiting mission, to consider developing an education programme to inform the people of New Caledonia about the nature of self-determination so that they may be better prepared to face a future decision on the matter, and requests the Special Committee to provide all available assistance in that regard;

11. *Commends* the observations, conclusions and recommendations of the visiting mission to the Government of France, as the administering Power, and the Government of New Caledonia for appropriate action;

12. *Urges* all the parties involved, in the interest of the people of New Caledonia and within the framework of the Nouméa Accord, to maintain their dialogue in a spirit of harmony and mutual respect in order to continue to promote a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, based on the principle that it is for the people of New Caledonia to choose how to determine their destiny;

13. *Reaffirms* its resolutions 68/87 of 11 December 2013 and 69/97 of 5 December 2014, in which the General Assembly, inter alia, reaffirmed that in the

absence of a decision by the Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

14. *Welcomes* the actions taken by the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter, particularly the submission on 8 January 2015 on the most recent developments in New Caledonia;

15. *Notes* the continuing concerns expressed by the Kanak people regarding their underrepresentation in governmental and social structures, incessant migratory flows and the impact of mining on the environment;

16. *Urges* the administering Power to take effective measures to safeguard and guarantee the inalienable right of the people of New Caledonia to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Power to take all steps necessary to protect the property rights of the people of New Caledonia;

17. *Commends* the "Cadres for the future" programme, and encourages further enhancement of the training and capacity-building of high-level executives in the public and private sectors in the Territory, particularly in view of the ongoing transfer of powers from the Government of France to New Caledonia, while ensuring that the transfer of powers is undertaken in a manner consistent with the Nouméa Accord;

18. *Recalls* the observations and recommendations contained in the report of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples on the situation of Kanak people in New Caledonia,[3] made in the light of relevant international standards, to assist with ongoing efforts to advance the rights of the Kanak people in the context of the implementation of the Nouméa Accord and the United Nations-supported decolonization process;

19. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to New Caledonia and to continue to do so, as appropriate, after it exercises its right to self-determination;

20. *Welcomes* the strengthening of the economic and social rebalancing initiatives undertaken by the administering Power, and urges its continuation in all areas and communities of the Territory, especially for the well-being of the Kanak indigenous people;

21. *Encourages* the administering Power, with the cooperation of the Government of New Caledonia, to ensure and enhance safeguards for and guarantees of the inalienable right of the people of the Territory to own, access, use and manage their natural resources, including proprietary rights for their future development;

22. *Recalls* the provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, and notes the continuing strengthening of ties between New Caledonia and both the European Union and the European Development Fund;

23. *Welcomes* the accession of the Front de libération nationale kanak socialiste to the Chair of the Melanesian Spearhead Group, the hosting, for the first time in New Caledonia, in June 2013, of the meetings of officials and leaders of the Group, the successful completion of the chairmanship of the Group by the Front de libération nationale kanak socialiste, in June 2015, and the opening, in February 2013, of the Front de libération nationale kanak socialiste unit at the headquarters of the Group secretariat in Port Vila;

24. *Acknowledges* the contribution of the Jean-Marie Tjibaou Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

25. *Welcomes* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs;

26. *Takes note* of the information shared by participants from New Caledonia at the Pacific and the Caribbean regional seminars on the implementation of the Third International Decade for the Eradication of Colonialism, held in Nadi, Fiji, from 21 to 23 May 2014 and in Managua from 19 to 21 May 2015, including on measured progress made in the social, economic, political and environmental spheres and more focused efforts, particularly on the rebalancing initiatives and electoral roll concerns, necessary for the long-term shared mutual benefit of all New Caledonians, and urges the administering Power and the Government of New Caledonia to devote appropriate attention to addressing these issues;

27. *Welcomes* the peaceful conduct of provincial elections in New Caledonia on 11 May 2014, the preceding municipal elections and the subsequent efforts to form a new Government of New Caledonia, and encourages constructive engagement by all stakeholders in further developing New Caledonia for all, including by respecting and upholding the Nouméa Accord;

28. *Also welcomes* the decision of the administrative Power to invite the Electoral Assistance Division of the Department of Political Affairs of the Secretariat to conduct a mission in order to observe the work of the special administrative commissions and the advisory committee of experts for the establishment and revision of the special electoral list, and looks forward to examining its recommendations;

29. *Stresses* the importance of the agreement between the signatories to the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

30. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

31. *Requests* the Special Committee to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its seventy-second session.

United Nations A/AC.109/2016/L.24

General Assembly

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27 June 2016

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chair

Question of French Polynesia

The General Assembly,

Having considered the question of French Polynesia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2016 relating to French Polynesia,[1]

Reaffirming the right of peoples to self-determination, as enshrined in the Charter of the United Nations and in accordance with all relevant resolutions, including General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Recalling its resolution 67/265 of 17 May 2013, entitled "Self-determination of French Polynesia", in which it affirmed the inalienable right of the people of French Polynesia to self-determination and independence in accordance with Chapter XI of the Charter and its resolution 1514 (XV), recognized that French Polynesia remains a Non-Self-Governing Territory within the meaning of the Charter, and declared that an obligation exists under Article 73 *e* of the Charter on the part of the Government of France, as the administering Power of the Territory, to transmit information on French Polynesia,

Taking note of the section related to French Polynesia of the Final Document of the Seventeenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Algiers from 26 to 29 May 2014,[2]

[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/71/23), chap. X.

[2] See A/68/966-S/2014/573, annex I.

Please recycle

Expressing concern that 56 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[3] there still remain 17 Non-Self-Governing Territories, including French Polynesia,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned, on a case-by-case basis and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV), 1541 (XV) and other relevant resolutions of the Assembly,

Recognizing also that the specific characteristics and the aspirations of the people of French Polynesia require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Reaffirming the inalienable rights of the people of French Polynesia to the ownership, control and disposal of their natural resources, including marine resources and undersea minerals,

Conscious of the responsibility of the administering Power to ensure the full and speedy implementation of the Declaration in respect of French Polynesia,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, on a case-by-case basis, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the people of the Territories,

Recognizing the significant health and environmental impacts of nuclear testing conducted by the administering Power in the Territory over a 30-year period, and recognizing also the concerns in the Territory related to the consequences of those activities for the lives and health of the people, especially children and vulnerable groups, as well as the environment of the region, and bearing in mind General Assembly resolution 70/81 of 9 December 2015, entitled "Effects of atomic radiation",

Recalling the report of the Secretary-General on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia,[4] prepared pursuant to paragraph 5 of General Assembly resolution 68/93 of 11 December 2013,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options for self-determination,

1. *Reaffirms* the inalienable right of the people of French Polynesia to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

[3] Resolution 1514 (XV).
[4] A/69/189.

2. *Also reaffirms* that it is ultimately for the people of French Polynesia to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of French Polynesia of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

3. *Calls upon* the administering Power to participate in and cooperate fully with the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in French Polynesia, and encourages the administering Power to facilitate visiting and special missions to the Territory;

4. *Regrets* that the administering Power has not responded to the request to submit information on French Polynesia under Article 73 *e* of the Charter;

5. *Reaffirms* that an obligation exists on the part of the administering Power to transmit information under Chapter XI of the Charter, and requests the administering Power to transmit to the Secretary-General such information on French Polynesia as called for under the Charter;

6. *Urges* the administering Power concerned to ensure the permanent sovereignty of the people of French Polynesia over their natural resources, including marine resources and undersea minerals, in accordance with the relevant resolutions of the General Assembly;

7. *Requests* the Secretary-General to provide continuous updates to his report on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia, with further details on the impacts of nuclear testing in the Territory, particularly on the consequences of exposure to atomic radiation;

8. *Calls upon* the administering Power to intensify its dialogue with French Polynesia in order to facilitate rapid progress towards a fair and effective self-determination process, under which the terms and timelines for an act of self-determination would be agreed;

9. *Requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territory of French Polynesia and to report thereon to the General Assembly at its seventy-second session.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Fiji and Papua New Guinea: draft resolution

Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Taking note of the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 relating to Tokelau,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular General Assembly resolution 70/101 of 15 December 2015,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting with appreciation also the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

Recalling the status of Tokelau as an associate member of the Food and Agriculture Organization of the United Nations,

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 23* (A/71/23), chap. XI.

Please recycle

Cognizant that New Zealand and Tokelau signed, on 21 November 2003, a document entitled "Joint statement of the principles of partnership", which sets out the rights and responsibilities of the two partners,

Bearing in mind the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association, its decision in August 2005 to hold in February 2006 a referendum on self-determination on the basis of a draft constitution for Tokelau and a draft treaty of free association with New Zealand, and its subsequent decision to hold a further referendum in October 2007, and bearing in mind also that the two referendums did not produce the two-thirds majority of valid votes cast required by the General Fono to change the status of Tokelau from that of a Non-Self-Governing Territory under the administration of New Zealand,

Recalling the holding of free and fair elections in the Territory in January 2014,

Noting the 2013 constitutional consultations, to be further considered by the Constitution Committee, which were driven by the people of Tokelau and which aimed at developing a model of government structure that is culturally appropriate and sensitive to their current situation, culminating in the approval and ratification of the national symbol of the Territory, along with the constitution, national anthem and national flag,

Bearing in mind the statement made by the Ulu-o-Tokelau at the Pacific regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism, held in Nadi, Fiji, from 21 to 23 May 2014, that the self-determination process of the Territory could not be addressed in isolation from the threat of climate change and the rise in sea level, and bearing in mind also the intention of Tokelau to further review the National Strategic Plan in order to determine development and other priorities beyond 2015, including consideration of the issue of self-determination and how it would address a possible referendum on self-determination in cooperation with the administering Power,

Recalling the statement made at the seminar by the representative of the Government of New Zealand, as the administering Power, citing the close and cordial cooperation that has existed for nearly 90 years between the Territory and the administering Power, with an emphasis on quality health care and education, telecommunications, renewable energy, support for the fisheries sector and the establishment of transport infrastructure and services, and noting the gifting by New Zealand to Tokelau of a new, purpose-built ferry, aimed at improving the connectivity of Tokelau with the Pacific region and the wider world, which entered into service in March 2016,

1. *Acknowledges* the decision of the General Fono in 2008 that consideration of any future act of self-determination by Tokelau will be deferred and that New Zealand and Tokelau will devote renewed effort and attention to ensuring that essential services and infrastructure on the atolls of Tokelau are enhanced and strengthened, thereby ensuring an enhanced quality of life and opportunities for the people of Tokelau;

2. *Welcomes* the progress made towards the devolution of power to the three taupulega (village councils) since 2004, and notes that further discussion is planned on the recommendations in the report on the devolution review, compiled in 2012;

3. *Notes with appreciation* that Tokelau and New Zealand remain firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that meet their current requirements;

4. *Recalls* the adoption by Tokelau of its National Strategic Plan for 2010-2015 and that the Joint Commitment for Development between Tokelau and New Zealand 2011-2015 prioritizes four main development pillars, including good governance, infrastructure development, human resources capacity development and sustainable development;

5. *Acknowledges* the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau, including with the completion of the Tokelau Renewable Energy Project and a new shipping charter service, as well as the support and cooperation of the United Nations Development Programme and the World Health Organization;

6. *Commends* the achievement by Tokelau in 2013 of 60 per cent of the objectives of its National Strategic Plan, including the completion of the Tokelau Renewable Energy Project with the support of the administering Power and receipt by the Government of the Renewable Energy Award granted by the New Zealand Energy Efficiency and Conservation Authority;

7. *Acknowledges* the need of Tokelau for continued support from the international community and its desire to become part of the discussions on the post-2015 development agenda, the impacts of climate change and the protection of the environment and oceans;

8. *Notes* the intention of Tokelau to further review its National Strategic Plan in order to determine development and other priorities beyond 2015 and to include consideration of the issue of self-determination and how the Territory would address a possible referendum on self-determination in cooperation with the administering Power;

9. *Recalls with satisfaction* the establishment and operation of the Tokelau International Trust Fund to support the ongoing needs of Tokelau, and calls upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to Tokelau in overcoming the problems of smallness, isolation and lack of resources;

10. *Welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau and their support for its economic and political aspirations and its increasing participation in regional and international affairs, and in this regard notes the successful chairmanship by Tokelau in 2014 of the tenth annual ministerial meeting of the Forum Fisheries Committee of the Pacific Islands Forum Fisheries Agency, held in Tokelau on 1 and 2 July 2014, the representation of the Agency by the Ulu-o-Tokelau at the third International Conference on Small Island Developing States, held in Apia from 1 to 4 September 2014, and the signing by Tokelau of the Pacific Islands Development Forum Charter in April 2016 so as to become the twelfth member of the Forum;

11. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops;

12. *Recognizes* the positive actions taken by the administering Power to transmit to the Secretary-General under Article 73 *e* of the Charter of the United Nations information regarding the political, economic and social situation of Tokelau;

13. *Commends* the commitment of both Tokelau and New Zealand to continuing to work together in the interests of Tokelau and its people;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its seventy-second session.